

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James Prebis,

Petitioner,
v.

ORDER
Civil No. 05-3003(MJD/FLN)

R.L. Morrison, Warden,

Respondent.

The above-entitled matter comes before the Court upon Defendant's objections to the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated May 25, 2006.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review the Court ADOPTS the Report and Recommendation dated May 25, 2006.

IT IS HEREBY ORDERED that to the extent Petitioner seeks an order that the Bureau of Prisons reconsider the length of time Petitioner should be assigned to an RRC pursuant to the factors set forth in 18 U.S.C. § 3621 (b), the Petition [Doc. No. 1] is GRANTED. To the extent the Petitioner seeks an immediate assignment to an RRC, the Petition is DENIED.

Date: July 31, 2006

s / Michael J. Davis

Michael J. Davis
United States District Court